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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation,
and SETH RAVIN, an individual,

Defendants.

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Case No. 2:10-cv-0106-LRH-PAL

**DECLARATION OF MARK A. PERRY
IN SUPPORT OF DEFENDANTS RIMINI
STREET, INC.'S AND SETH RAVIN'S
OBJECTIONS TO ORACLE'S
PROPOSED ORDERS**

Judge: Hon. Larry R. Hicks

1 I, Mark A. Perry, hereby declare as follows:

2 1. I am a partner in the law firm of Gibson, Dunn & Crutcher LLP, counsel of record for
3 Defendants Rimini Street, Inc. and Seth Ravin (collectively, “Rimini”) in the above-referenced action.

4 2. I submit this declaration in support of Rimini’s Objections to Oracle’s September 23,
5 2016 Filings. Unless otherwise indicated, I have personal knowledge of the foregoing and could and
6 would testify to the same if called as a witness in this matter.

7 3. On September 23, 2016, at 4:43 p.m. Pacific time, I caused a letter to be sent to Thomas
8 Hixson, counsel for Oracle, in which I reminded Oracle of its obligation under the Local Rules to
9 provide Rimini with draft proposed orders at least three days prior to submitting them to the Court, and
10 further reminded Oracle of the operative case management order obligating the parties to attempt to
11 prepare a joint proposed final judgment. A true and correct copy of that letter is attached as **Exhibit A**.

12 4. On September 23, 2016, at 4:38 p.m. Pacific time, Oracle filed a proposed order for a
13 permanent injunction and its proposed findings of fact. At 4:43 p.m. Pacific time, Oracle filed a
14 proposed final judgment.

15 5. Oracle did not meet or confer with Rimini regarding any of its September 23, 2016
16 submissions. It did not provide drafts of the proposed orders prior to filing them and did not provide
17 Rimini with at least three days to respond to the drafts of the proposed orders. Nor did Oracle attempt
18 to meet or confer about the proposed final judgment.

19 6. On September 23, 2016, at 4:56 p.m., I wrote an email to Mr. Hixson in which I
20 explained that Oracle’s submissions violated the Local Rules and the Court’s order. I requested that
21 Oracle either withdraw the submissions to the Court, or notify the Court that the submissions had not
22 been reviewed by Rimini as required and therefore should not be entered by the Court. A true and
23 correct copy of that email is attached as **Exhibit B**.

24 7. On September 24, 2016, at 5:42 p.m., Mr. Hixson sent an email in response. He did not
25 deny that Oracle had failed to meet and confer with Rimini prior to its filings and instead claimed,
26 without citation to any authority, that he did not “see any basis for any further meet and confer.” A
27 true and correct copy of that email is attached as **Exhibit C**.

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed this 26th day of September 2016, at Washington, D.C.

3
4 DATED: September 26, 2016

GIBSON, DUNN & CRUTCHER LLP

5 By: Mark A. Perry

6 Mark A. Perry

7 *Attorneys for Defendants*
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CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2016, I caused to be electronically filed the foregoing document with the clerk of the court for the U.S. District Court, District of Nevada, using the electronic case filing system. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

By: Mark A. Perry
Mark A. Perry

Attorney for Defendants
Rimini Street, Inc. and Seth Ravin